

REMARKS

Claims 1-44 remain in the application with claims 1, 9, 19, 21, 22, 25, 27, 32, 33, 35, 37, 38, 39 and 40 having been amended hereby.

Reconsideration is respectfully requested of the objection to the specification for the use of the word "severer." Severer is a valid word and has been correctly used. See, for example, Webster's Ninth New Collegiate Dictionary. Notwithstanding the above, the claims have been amended to avoid the use of the word "severer."

Claims 9, 21, 25, 32, 33, and 37-39 have been objected to for alleged informalities. Without conceding the merit of this objection, the Applicant has amended the claims in accordance with the Examiner's guidance to avoid the alleged informalities.

Reconsideration is respectfully requested of the rejection of claims 1-44 under 35 U.S.C. 102(e) or 35 U.S.C. 103(a), as being unpatentable over U.S. Patent No. 6,522,769, to Rhoads et al., or Rhoads et al. in view of Applicant's alleged admitted prior art or in view of U.S. Patent No. 6,633,723, to Kuroda et al.

Independent claim 1, as amended, relates to a recording medium in which a plurality of management information are embedded and recorded into content data in a plurality of forms of different remaining intensities. The plurality of forms of different remaining intensity comprising a watermark of strong remaining intensity and a

watermark of weak remaining intensity. The management information written into the watermark of the strong remaining intensity is more severe than the management information written into the watermark of the weaker remaining intensity. The management information written into the watermark of the weaker remaining intensity comprises an International Standard Recording Code (ISRC).

Rhoads et al. relates to watermark detection. The "third approach" of Rhoads et al. beginning at col. 14, line 53, relates to a watermarking system using two watermarks. A first watermark contains "copy once" bits while a second watermark contains "copy never" bits. The first watermark is "set very weakly" and is described as "frail" and does not survive actions such as "resampling, scaling, digital to analog conversion, etc." The second watermark is described as "unchanged and reliably detectable." In Rhoads et al., each of the "copy once" and "copy never" data are described as a single bit (see for example col. 14, lines 8-11).

Kuroda et al. relates to a recording and reproducing system for recording and reproducing image information onto and from a recording medium such as a DVD. The system is equipped with copy protection function for restricting copying of image information.

The Examiner alleges that the Applicant has admitted as prior art, that watermarks of weak remaining intensity may be embedded

into content data by inserting the management information into lower bits of the content data.

However, neither Rhoads et al., Kuroda et al., nor what is alleged by the Examiner to be admitted prior art, alone or in combination, teach or suggest that the management information written into the watermark of the weaker remaining intensity comprises an International Standard Recording Code (ISRC).

In fact, Rhoads et al. teaches away from writing into the weaker remaining intensity watermark an ISRC because "[T]he ISRC is information of 60 bits and enables the contents to be identified one by one all over the world." (page 11). While, as noted above, Rhoads et al. specifies that the "copy once" data is a single bit.

Independent claim 1 is therefore patentable over the cited art for at least the above reasons. Moreover, claims 2-44 are patentable over the cited art for at least similar reasons.

Therefore, by reason of the amendments made to the claims hereby, as well as the above remarks, it is respectfully submitted that Recording Medium, Recording Method of Recording medium, Recording and/or Reproducing method of Recording Medium, and Data and Data Copy Control Method, as taught by the present invention and as recited in the amended claims, is neither shown nor suggested in the cited references.

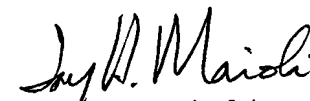
The references cited as of interest have been reviewed and are

not seen to show or suggest the present invention as recited in the amended claims.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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